

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7175

BILL NUMBER: HB 1152

NOTE PREPARED: Jan 22, 2004

BILL AMENDED:

SUBJECT: Clerk of the Supreme Court.

FIRST AUTHOR: Rep. Mahern

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: The bill provides for the Clerk of the Supreme Court to be appointed by the court rather than elected. It repeals an election law provision concerning residency of a candidate for Office of Clerk of the Supreme Court.

Effective Date: Upon passage; July 1, 2004.

Explanation of State Expenditures: Included in this bill are two provisions that would potentially increase costs to the state:

- The salary of the Clerk of the Supreme Court would be determined the Supreme Court instead of by the statute.
- The Clerk would be required to execute a bond at an amount determined by the Supreme Court.

Salaries: Under current law, the Clerk of the Supreme Court receives an annual salary of \$60,000. Under this bill, the Supreme Court would determine the Clerk's salary after January 1, 2007. The salary would presumably be included in the budget of the Supreme Court.

Securing a Public Official Bond: Current law requires the Clerk of the Supreme Court to secure public official bonds of \$2,000 and \$10,000. This bill would permit the Supreme Court to determine the amount of bond that would need to be secured by the Clerk. Under IC 5-4-5-2, the cost of these obligations are paid out of the state General Fund. According to the insurance carrier for the State Treasurer, the annual cost of securing a bond depends on the bond limit. As examples, the following table shows the bond limits, the annual premiums paid, and the percentage rates based on the bond limits and premiums.

Bond Limit	Premium	Percentage
\$300,000	\$831	0.28%
\$200,000	\$800	0.40%
\$50,000	\$200	0.40%
\$5,000	\$100	2.00%

Intelenet Commission: Currently, the Clerk of the Supreme Court is the statutorily authorized agency for dealing with the Intelenet Commission, although the staff in the Division of the State Court Administration actually manage the web site for the Indiana Judiciary through the gateway administered by the Intelenet Commission. Under this bill, the entire judicial branch of Indiana State Government would be authorized to have this access.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Indiana Supreme Court, Indiana Clerk of the Supreme Court, Intelenet Commission.

Local Agencies Affected:

Information Sources: Waterfield Insurance.

Fiscal Analyst: Mark Goodpaster, 317-232-9852.